

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 25th day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 10th day of September 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1966—Filed, August 27, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TEXAS-COLLINS FARM, FILED ON AUGUST 20, 1936, BY ROYALTY BROKERAGE COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that it is not explained fully in Division III how each factor used was determined for the particular tract;
2. In that reasons are not stated and explained in Division III for the use of each particular factor in combination with each of the other factors;
3. In that no consideration has been given in Division III to the shrinkage of oil due to the liberation of dissolved gas and reduction in temperature;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 25th day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the

said hearing from time time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 10th day of September 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1965—Filed, August 27, 1936; 12:38 p. m.]

Saturday, August 29, 1936

No. 121

DEPARTMENT OF STATE.

To the People of the United States:

George Henry Dern, Secretary of War, died in the city of Washington on the morning of Thursday, August twenty-seventh, at five minutes before eleven o'clock.

The death of this distinguished member of the President's Cabinet comes as a great shock and a great sorrow to his friends and as a national bereavement to the Government and people of the United States.

Reaching a position of high trust in private enterprise, he became in 1915 a member of the Senate of the State of Utah and later a member of the State Council of Defense in the World War.

In 1925, Mr. Dern was elected Governor of his State, which position he filled with honor and distinction. It was after his second term as Governor that Mr. Roosevelt, on becoming President, called him to serve as his Secretary of War. During his whole official career it was his unflinching high purpose to promote the interests of his country.

As a mark of respect to the memory of Secretary Dern, the President directs that the national flag be displayed at half staff on all public buildings in the District of Columbia and the State of Utah until the interment shall have taken place.

By direction of the President,

CORDELL HULL,
Secretary of State.

DEPARTMENT OF STATE,

Washington, August 27, 1936.

[F. R. Doc. 1970—Filed, August 27, 1936; 4:23 p. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48496]

CUSTOMS REGULATIONS AMENDED—DRAWBACK

RETURN OF MAIL SHIPMENTS TO THE DELIVERING POST OFFICE FOR EXPORTATION, WITH BENEFIT OF DRAWBACK, UNDER SECTION 313 (C), TARIFF ACT OF 1930

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in Section 251, Revised Statutes (U. S. C., title 19, sec. 66), Sections 313 (1)

(U. S. C., title 19, sec. 1313 (i)) and 624 (U. S. C., title 19, sec. 1624) of the Tariff Act of 1930, Article 1065 of the Customs Regulations of 1931 is amended by inserting "(a)" after the title of the article and adding the following new paragraphs:

(b) In the case of merchandise to be returned to the foreign shipper through the mails from a post office located at a point where no customs officer is stationed, the merchandise, prepared for mailing, shall be deposited with the postmaster for delivery to the collector of customs at the port where the article was entered. The parcel, properly wrapped, stamped, and addressed for mailing abroad shall be inclosed in a package or wrapper addressed to the collector of customs at the port where such merchandise was originally entered. Waiver of the right to withdraw the merchandise from the mails, signed by the exporter, shall be stamped or written on both the parcel and package or wrapper, and the appraiser in making his return on the application (customs Form 7537) shall report accordingly. The outside package or wrapper shall bear an appropriate notation to the effect that the contents are intended for examination and exportation under section 313 (c) of the tariff act. If the parcel is to be insured or registered to cover transportation from port of original entry to foreign destination, the exporter shall advance to the collector of customs at such port the necessary funds to cover the charges for insurance or registry.

(c) The application fully executed, in duplicate, on customs Form 7537, shall either accompany, or be mailed simultaneously with, the parcel, except that if such form is not available to the exporter, or if available and information necessary for complete execution of the form is not obtainable at the time of mailing, the merchandise may be returned without the application, to the postmaster for prompt delivery to the collector of customs. In cases where the application covering the returned merchandise is not received by the collector, he shall, immediately upon receipt of such parcel, furnish the exporter with copies of customs Form 7537 for prompt execution and return. Dates of delivery of the parcel from the post office and return thereto are considered the dates of release from and return to customs custody, respectively, within the meaning of section 313 (c) of the tariff act. Drawback will be denied where articles are not returned to customs custody within thirty days after release therefrom.

(d) The exporter shall submit for the information of the collector of customs a parcel post or registered mail receipt or other evidence from the postmaster at the depositing office showing date of return of the merchandise to the postmaster, together with evidence of date of delivery of the incoming package from the post office to the addressee (exporter). After the required examination has been made of the merchandise and the collector has approved the application, he will cause the parcel to be mailed for exportation, notify the applicant of such approval and mailing, and forward to him copies of the drawback entry (customs Form 7539) with the request for prompt execution and return. If the application is disapproved the collector shall notify the applicant accordingly and request advice from him as to the disposition to be made of the parcel.

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

Approved, August 25, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1978—Filed, August 28, 1936; 12:34 p. m.]

Bureau of Internal Revenue.

[T. D. 4690]

EXCESS-PROFITS TAX

AMENDMENT OF TREASURY DECISION 4666, RELATING TO THE EXCESS-PROFITS TAX IMPOSED BY SECTION 106 OF THE REVENUE ACT OF 1935, AS AMENDED

To Collectors of Internal Revenue and Others Concerned:

Article 3 (b) (*Adjusted declared value*), of Treasury Decision 4666,¹ (Int. Rev. Bull. XV-29, 2), relating to the excess-profits tax imposed by section 106 of the Revenue Act of 1935, as amended, is amended by adding thereto the following sentence:

The first return of a corporation covering the part of the year in which it was incorporated, or the final return of a corporation covering the part of the year in which it was dissolved, is a return for twelve months and not for a period of less than twelve months.

¹ 1 F. R. 840.

The last sentence of article 5 (*Return*), of Treasury Decision 4666 is amended to read:

Accordingly, every corporation which is liable for the making of an excess-profits tax return under section 106 of the Revenue Act of 1935, as amended (for any income-tax taxable year ending after June 30, 1936), whether or not such corporation is a member of an affiliated group of corporations, must make its excess-profits tax return and compute its net income separately, without regard to the provisions of section 141 of the Revenue Act of 1934 or section 141 of the Revenue Act of 1936.

This Treasury Decision is issued under the authority prescribed by section 62 of the Revenue Act of 1934.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, August 26, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1978—Filed, August 28, 1936; 12:34 p. m.]

[T. D. 4691]

CAPITAL STOCK TAX

REGULATIONS 64 (1936 EDITION) AMENDED WITH RESPECT TO ARTICLES RELATING TO TAXATION OF FOREIGN CORPORATIONS

To Collectors of Internal Revenue and Others Concerned:

Regulations 64 (1936 Edition) approved May 6, 1936, as amended,¹ relating to the capital stock tax are further amended as follows:

Article 34 is amended to read as follows:

ART. 34. *Return by foreign corporation.*—A capital stock tax return must be filed (1) by every foreign corporation which, whether on a calendar or a fiscal year basis, is required to file an income tax return of net income for purposes of the normal tax imposed under section 13 of the *Revenue Act of 1936* and (2) by every foreign corporation which on a fiscal year basis has a capital-stock-tax taxable year ending within an income-tax taxable year governed by the *Revenue Act of 1934*. The rule first stated applies to all capital-stock-tax taxable years and under such rule capital stock tax returns are required for the capital-stock-tax taxable years ended June 30, 1936, and for subsequent capital-stock-tax taxable years. The second rule applies only to the capital-stock-tax taxable year ended June 30, 1936, and under that rule every foreign corporation required under the *Revenue Act of 1934* to file an income tax return of net income for an income-tax fiscal year ending with any month from June 1936 to November 1936, both inclusive, is required to file a capital stock tax return for the capital-stock-tax taxable year ended June 30, 1936. Whether a foreign corporation required to file a capital stock tax return under the latter rule will be required to file capital stock tax returns for capital-stock-tax taxable years subsequent to June 30, 1936, will depend upon whether the case with respect to such subsequent years comes within the first rule.

The first capital stock tax return under the Act must be filed in triplicate on Form 703 and contain an unqualified declaration of value in terms of United States dollars for the capital employed in the transaction of business in the United States, as specified in article 32 with respect to declarations of value in the case of domestic corporations. (See also articles 64 and 65 (a).) As to subsequent returns, see article 65 (b). If, in accordance with the provisions of the preceding paragraph, a foreign corporation is required to file a capital stock tax return, but nevertheless claims that its activities in the United States do not constitute carrying on or doing business, the return must contain a declaration of value as above stated, but in such case the corporation, in lieu of paying the tax, may claim exemption from the tax (see article 73) because of not doing business and attach to the return a detailed statement of the activities in this country during the taxable year as outlined in the instructions on the return form.

Article 62 is amended to read as follows:

ART. 62. *Carrying on or doing business in the United States.*—The determination as to whether a foreign corporation is carrying on or doing business in the United States within the meaning of the Act depends upon the particular facts of each case. Ordinarily, if in the furtherance of efforts in the pursuit of profit or gain a foreign corporation maintains an agent, an office, warehouse, or other place of business, in the United States, it will be regarded as carrying on or doing business in the United States. As to the meaning of "carrying on or doing business", in general, see articles 42 and 43.

¹ 1 F. R. 350, 861.

The foregoing amendments are predicated upon the new provisions of the Revenue Act of 1936 with respect to the taxation of foreign corporations in general. The amendments apply only to the capital stock tax imposed under section 105 of the Revenue Act of 1935, as amended by section 401 of the Revenue Act of 1936, for the taxable year ended June 30, 1936, and for subsequent taxable years and not to the capital stock tax imposed by any prior Act.

This Treasury Decision is issued under the authority contained in section 1101 of the Revenue Act of 1926.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, August 26, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1980—Filed, August 28, 1936; 12:34 p. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

GRAZING DISTRICT NOTICE

ARIZONA

Pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), commonly known as the Taylor Grazing Act, as amended June 26, 1936, notice is hereby given that a hearing will be held by the Department of the Interior for the purpose of considering the establishment of additional grazing districts in the State of Arizona at the following place and time and any place or time to which such hearing may be adjourned:

State	Place	Date	Hour
Arizona	Phoenix	September 22, 1936	10 a. m.

This hearing will be open to the attendance of State officials, settlers, residents, and livestock owners, who are interested in the grazing use of the public domain in said State.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

Date: August 20, 1936.

[F. R. Doc. 1971—Filed, August 28, 1936; 9:19 a. m.]

FARM CREDIT ADMINISTRATION.

FCA 18

AMENDATORY REGULATION NO. 5 OF THE REGULATIONS RELATIVE TO EMERGENCY CROP AND FEED LOANS IN THE CONTINENTAL UNITED STATES

MADE PURSUANT TO THE EMERGENCY RELIEF APPROPRIATION ACT OF 1935, APPROVED APRIL 8, 1935, AND EXECUTIVE ORDER NO. 7305, DATED FEBRUARY 28, 1936, AS AMENDED BY EXECUTIVE ORDER NO. 7436, DATED AUGUST 21, 1936

AUGUST 27, 1936.

Sub-paragraph (e) of paragraph 5 of the Regulations dated March 7, 1936, is hereby amended to read as follows:

(e) To any applicant in an amount greater than his immediate cash needs for seed, fertilizer, or minor repairs on equipment, or in an amount in excess of \$200.00 (inclusive of any loan or loans heretofore granted such applicant under these regulations) except that the amount which may be lent to any one borrower for the production of winter wheat (inclusive of any loan or loans as aforesaid) shall not exceed the sum of \$400.00. No loan will be made for an amount less than the sum of \$10.00. All loans will be made in multiples of \$5.00. Notes will bear interest, from maturity until paid, at the rate of 5½ per cent per annum; and interest to the maturity date at the same rate will be deducted at the time the loan is made.

[SEAL]

A. T. ESGATE,
Acting Governor, Farm Credit Administration.

[F. R. Doc. 1972—Filed, August 28, 1936; 11:48 a. m.]

INTERSTATE COMMERCE COMMISSION.

NOTICE

[Ex Parte No. BMC 1]

IN THE MATTER OF RULES AND REGULATIONS GOVERNING THE SETTLEMENT OF RATES AND CHARGES BY COMMON CARRIERS AND CONTRACT CARRIERS OF PROPERTY BY MOTOR VEHICLE

AUGUST 27, 1936.

The hearing now assigned at Atlanta, Ga., on October 13, 1936, at 10 o'clock a. m. (standard time) at the Atlanta-Biltmore Hotel is transferred to the Federal Court Rooms, Atlanta, Ga., at the same time.

The hearing now assigned at Chicago, Ill., on November 11, 1936, at 10 o'clock a. m. (standard time) at the Hotel Sherman is postponed until November 18, 1936, at the same place and hour.

An additional hearing in the above entitled proceeding will be held at Kansas City, Mo., on November 11, 1936, at 10 o'clock a. m. (standard time) at the Chamber of Commerce Rooms.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1977—Filed, August 28, 1936; 11:59 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August A. D. 1936.

[Docket No. BMC 31466]

APPLICATION OF JOSEPH POMPROWITZ FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Joseph Pomprowitz, an Individual, Doing Business as L. C. L. Transit Co., of 425 North Wisconsin Street, De Pere, Wisconsin, for a Permit (Form B. M. C. 1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from and between Points in the States of Wisconsin, Missouri, Illinois, Iowa, and Minnesota Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 22nd day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Sherman, Chicago, Ill.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1974—Filed, August 28, 1936; 11:58 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August A. D. 1936.

[Docket No. BMC 31466]

APPLICATION OF JOSEPH POMPROWITZ FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Joseph Pomprowitz, an Individual, Doing Business as L. C. L. Transit Co., of 425 North Wisconsin St., De Pere, Wisconsin, for a Permit Form B. M. C. 10, to Extend Its Present Operation Filed on Form B. M. C. 1, Authorizing Operation by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from and between Points in the States of Indiana, Michigan, Ohio, Pennsylvania, New York, and New Jersey over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 22nd day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Sherman, Chicago, Ill.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1973—Filed, August 28, 1936; 11:58 a. m.]

ORDER

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August A. D. 1936.

[Docket No. BMC 42537]

APPLICATION OF GEORGE CASSENS, ALBERT CASSENS, AND ARNOLD CASSENS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of George Cassens, Albert Cassens, and Arnold Cassens, Co-partners, Doing Business as George Cassens & Sons, of Edwardsville, R. F. D. #3 (Hamel), Illinois, for a Certificate of Public Convenience and Necessity, Form B. M. C. 8, to Extend Its Present Operation, filed on Form B. M. C. 1, Authorizing Operation as a Common Carrier, by Motor Vehicle, in the Transportation of Automobiles, Auto Parts, and Accessories, in Interstate Commerce, Over the Following Routes

Route No. 1.—Between the junction of U. S. Highway 24 and Illinois Highway 1, and Paducah, Ky.

Route No. 2.—Between Champaign and Greenup, Ill.

Route No. 3.—Between Bloomington, Ill., and the junction of U. S. Highway 66 and Illinois Highway 48.

Route No. 4.—Between the junction of Illinois Highways 48, 9, and Edwardsville, Ill.

Route No. 5.—Between Detroit, Ill., and Hannibal, Mo., and Fort Madison, Iowa.

Route No. 6.—Between Danville and Lincoln, Ill.

Route No. 7.—Between Paris and Greenville, Ill.

Route No. 8.—Between Marshall, Ill., and Columbia, Mo.

Route No. 9.—Between the junction of Illinois Highways 1 and 33, and the junction of U. S. Highway 40 and Illinois Highway 33.

Route No. 10.—Between Evansville, Ind., and St. Louis, Mo.
Route No. 10 (a).—Between Evansville, Ind., and St. Louis, Mo.

Route No. 11.—Between Princeton, Ind., and St. Louis, Mo.

Route No. 12.—Between Mt. Vernon and West Vienna, Ill.

Route No. 13.—Between Harrisburg and Elizabethtown, Ill.

Route No. 14.—Between Shawneetown, Ill., and the junction of Illinois Highways 15, 159.

Route No. 15.—Between Vienna, Ill., and the junction of Illinois Highways 150, 144.

Route No. 16.—Between Anna, Ill., and Sikeston, Mo.

Route No. 17.—Between Sikeston, Mo., and the junction of Illinois Highways 150, 146.

Route No. 18.—Between Sikeston and St. Louis, Mo.

Route No. 19.—Between Illinois Highway 37 and Herrin, Ill.

Route No. 20.—Between the junction of U. S. Highway 51 and Illinois Highway 16 and Decatur, Ill.

Route No. 21.—Between Decatur and Springfield, Ill.

Route No. 22.—Between Jacksonville and Beardstown, Ill.

Route No. 23.—Between Hannibal and Moberly, Mo.

Route No. 24.—Between Columbia and Booneville, Mo.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 22nd day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Sherman, Chicago, Ill.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if the telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1975—Filed, August 23, 1936; 11:58 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August A. D. 1936.

[Docket No. BMC 50516]

APPLICATION OF NATIONAL STORAGE AND FURNITURE COMPANY FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of National Storage and Furniture Company of Atlantic City, Inc., of 1633-35 Atlantic Avenue, Atlantic City, New Jersey, for a Certificate of Public Convenience and Necessity (Form B. M. C. 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of House-

hold Goods and Equipment, in Interstate Commerce, From and Between Points in the States of Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia, Over Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton, for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 28th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Chamber of Commerce Rooms, Philadelphia, Pa.;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1976—Filed, August 28, 1936; 11:59 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

[File Nos. 32-34, 32-35]

IN THE MATTER OF NEW ENGLAND POWER ASSOCIATION, THE RHODE ISLAND PUBLIC SERVICE COMPANY (PURSUANT TO SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935)

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

A declaration having been duly filed with this Commission, by The Rhode Island Public Service Company, a subsidiary of New England Power Association, a registered holding company, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, with respect to its issuance of \$8,000,000 principal amount of 4% notes, to evidence loans of that amount to be made by various banks to said declarant; the proceeds of such loans to be applied to the retiring of certain preferred stock which the declarant now has outstanding and to other corporate purposes; such notes to be reduced by specified installment payments; as security for such notes the declarant is to pledge certain common stock of The Narragansett Electric Company, certain securities of United Electric Railways Company, and such notes are to be unconditionally guaranteed by New England Power Association; a separate declaration with respect to its guaranty of said notes having been filed by New England Power Association; and it appearing to the Commission that these related declarations should be heard and considered together;

It is ordered, that such matter be set down for hearing on September 14, 1936, at 10 o'clock in the forenoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 9, 1936.

It is further ordered, that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 1989—Filed, August 28, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TWIN-STATE-COOK FARM, FILED ON AUGUST 7, 1936, BY GEORGE H. MYERS, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 11:00 o'clock in the forenoon of the 27th day of August at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:00 o'clock in the forenoon of the 10th day of September at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 1981—Filed, August 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-HOAGLAND FARM FILED ON AUGUST 11, 1936 BY HARRY A. GEORGE, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1983—Filed, August 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUNRAY-PHILLIPS-CAPITAL MANSION-STATE FARM, FILED ON AUGUST 11, 1936, BY HARRY A. GEORGE, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1982—Filed, August 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE HOLLENBACK ET AL.—PIERCE FARM FILED ON AUGUST 13, 1936, BY ALEX MACDONALD, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1984—Filed, August 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-BELLA CASA No. 1 FARM, FILED ON AUGUST 10, 1936, BY H. B. SEARS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1983—Filed, August 28, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-BELLA CASA #2 FARM, FILED ON AUGUST 10, 1936, BY H. B. SEARS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1986—Filed, August 23, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-HOAGLAND FARM, FILED ON AUGUST 10, 1936, BY H. B. SEARS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the sub-

ject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1987—Filed, August 28, 1936; 12:38 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE PHILLIPS-LIBERTY LEASE, FILED ON AUGUST 3, 1936, BY
H. B. SEARS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 24, 1936, be effective as of August 24, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1985—Filed, August 28, 1936; 12:37 p. m.]

